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Letter dated 16 January 2008 from the Chargé d'affaires a.i. of Honduras to the United Nations addressed to the Chair of the Committee

Regarding your letter dated 26 October 2007, in which you kindly requested Honduras to provide up-to-date information to facilitate the preparation of the report of the Security Council Committee on the full implementation of resolution 1540 (2004), please find attached the relevant information requested from the authorities of Honduras by your office.

I would kindly ask you to circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Marco A. **Suazo**
Deputy Permanent Representative
Chargé d'affaires a.i.

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Please re

Annex to the letter dated 16 January 2008 from the Chargé d'affaires a.i. of Honduras to the United Nations addressed to the Chair of the Committee

Additional information to the matrices: explanation of empty cells or "gaps" in the completed matrices

Honduras does not possess nor does it produce weapons of mass destruction. The State of Honduras does not produce nuclear, chemical or biological weapons or their means of delivery; it does not, therefore, provide any form of support to State or non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use such weapons or their means of delivery.

Gaps relating to international instruments

The State of Honduras, as party to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and other international instruments related to Security Council resolution 1540 (2004), reaffirms its commitment to the Committee to avoid the proliferation and to eliminate weapons of mass destruction, owing to the threat that they pose to global peace and security.

Gaps relating to the prohibition of biological, chemical and nuclear weapons and their means of delivery

In relation to the prohibition of biological, chemical and nuclear weapons and their means of delivery, Honduras does not have a specific law related to this matter because it does not produce or use this type of weapon. However, in order to comply with the different treaties, conventions and protocols signed and ratified by our Government, the Constitution, in its article 16, states that all treaties, conventions, protocols, etc., signed and ratified by the Government of Honduras becomes part of our domestic law. In addition, there are other laws related to such conventions, including:

(a) The law of use of firearms, equipment, ammunition explosives and other related materials;

(b) The law that prohibits the production, purchase, sale, import, export, transport, use and transfer of anti-personnel mines and anti-detector devices or related parts;

(c) The law against illicit trafficking of drugs, psychotropic drugs and other dangerous substances;

(d) The police law;

(e) The customs law;

(f) The law against organized crime.

In order to enforce the above-mentioned laws and to impose criminal and civil penalties, our legal system has penal, civil and commerce codes.

Gaps relating to control measures

Honduras does not produce or use chemical, biological or nuclear weapons. For that reason it does not have in place any measures or facilities for secure production, use, storage and transport to account for. In the event that non-State actors or other persons or groups want to use our territory to transport any of these weapons, the primary law such as the Constitution and all treaties, conventions, protocols signed and ratified, and the other laws mentioned above, provide the legal framework to cover all such issues, including the biological, chemical, nuclear-related materials that can be used to produce these kinds of weapons.

Gaps relating to border control, import/export control, shipment and trans-shipment

The Executive Incomes Directorate, the national agency in charge of collecting taxes, a decentralized body of the Ministry of Finance, is the entity responsible for the management of all customs inside the country and for import/export, shipment and trans-shipment control. Supported by the border police, the Directorate controls the entry and exit of all products at the border. It coordinates security issues related to import/export, shipment and trans-shipment by all the customs and borders. The Directorate also establishes liaison with the Government agencies, municipalities and customs services of other countries, mainly of Central America, in order to coordinate activities related in this field.

With regard to chemical, biological, nuclear and radioactive materials, the General Customs Administration is providing its personnel with expertise in detecting related materials. High-tech systems and equipment have been installed in the main port of Puerto Cortes so that biological, nuclear radioactive and chemical agents can be detected.

The General Customs Administration is in permanent contact with the customs services of other countries, and with international organizations, in order to obtain and provide any information and documentation that, on the basis of international cooperation, may help to detect, prevent and combat the illicit trafficking and brokering in nuclear, chemical and biological weapons and related materials, including their means of delivery.

Furthermore, the Office of the Attorney-General has the legal framework to investigate terrorism and arms stockpiling and trafficking in order to dismantle existing criminal organizations involved in arms trafficking and prevent the development of terrorist organizations by exercising the powers conferred on it in the law against organized crime.

Concerning the control list, namely the licensing, financial control and national licence authority of chemical, biological and nuclear weapons, including related materials, the Government is working to provide a legal framework to the national authority to the Organization for the Prohibition of Chemical Weapons in order to cover this gap in our legislation.